

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MICHAEL MATYSIK,)
Plaintiff,)
vs.)
JUDD TRANSPORTATION, L.L.C., *et*)
al.,)
Defendants.)
No. 1:14-cv-1889-TWP-DKL

Entry and Order on Defendants' Motion to Quash Subpoenas [dkt. 73]

This cause comes before the Court on *Defendants' Motion to Quash Subpoenas* [dkt. 73]. Plaintiff has filed a response, and Defendants have filed a reply. District Judge Tanya Walton Pratt referred the motion to the undersigned for ruling.

Defendants seek to quash the subpoena duces tecum issued to Dr. Paula Robinson of the Estill Medical Clinic in Irvine, Kentucky, and the subpoena duces tecum issued to North Toledo Urgent Care in Toledo, Ohio. The subpoenas were issued in connection with this action in this federal district court. Both subpoenas seek records pertaining to Defendant Bret Larsen. Both subpoenas command production at Plaintiff's counsel's offices in Valparaiso, Indiana.

Rule 45(d)(3) of the Federal Rules of Civil Procedure authorizes “the court for the district where compliance is required” to “quash or modify a subpoena” under certain circumstances. Fed. R. Civ. P. 45(d)(3). Valparaiso is in Porter County Indiana, which

lies in the Northern District of Indiana. *See* www.innd.uscourts.gov. Therefore, the Northern District of Indiana rather than this Court has the authority to hear Defendants' motion to quash. *See, e.g., Meta v. Target Corp.*, No. 15-mc-050, 2015 WL 7459981, at *1 n.1 (E.D. Wis. Nov. 24, 2015) (noting that Rule 45(d)(3) "authorizes 'the court for the district where compliance is required' to quash or modify a subpoena" (quoting Fed. R. Civ. P. 45(d)(3))); *Paso Del Norte Motors, LP v. Kia Motors of Am., Inc.*, No. 315-CV-2672-M, 2015 WL 4939948, at *1 (N.D. Tex. Aug. 19, 2015) ("[B]ecause the subpoena commands ... production of documents at a location in another district, this Court has no basis or authority to address this subpoena under ... Rule 45."). Accordingly, Defendants' *Motion to Quash Subpoenas* [dkt. 73] is **DENIED**.

SO ORDERED THIS DATE: 12/15/2015



Denise K. LaRue
United States Magistrate Judge
Southern District of Indiana

Electronic Distribution to All Counsel of Record